

Remarks

Claims 1-35 are pending in the application. All claims stand rejected. By this paper, claims 1, 4-7, 17, 19, 21, and 22 have been amended. Claims 31-35 have been cancelled. New claims 36-38 have been added to provide claim coverage commensurate with the scope of the invention. Reconsideration of all pending claims herein is respectfully requested.

Claim 19 was objected to because of a dependency error. The applicants have amended claim 19 to rectify this problem.

Claim 23 was rejected under 35 U.S.C. § 112 due to a lack of antecedent basis for the limitation "said second plurality of sub-elements." The applicants have amended claim 17, from which claim 23 ultimately depends, to correct this deficiency.

Claims 1-11, 13-17, and 19-35 were rejected under 35 U.S.C. § 102(e) as being anticipated by Vallone et al. ("Vallone"). Claims 12 and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Vallone and Ward, III ("Ward").

Claims 1, 2, and 4-7 have been amended to more particularly point out and distinctly claim the subject matter of the invention. As amended, claim 1 recites a graphical user interface ("GUI") for navigating through multimedia content comprising:

a left menu region comprising a first plurality of selectable menu elements, one or more of said first plurality of selectable menu elements having a plurality of sub-elements associated therewith;

a selection element to identify one of said first plurality of selectable menu elements; and

a right menu region adjacent to said left menu region, said right menu region to display a first plurality of sub-elements associated with an identified one of said first plurality of selectable menu elements.

wherein said selection element is further to identify one of said plurality of sub-elements, after which the right menu region is to be dragged left to cover an area previously occupied by the left menu region, and wherein a new right menu region is to be displayed adjacent to the area previously occupied by the left menu region, said new right menu region including a second plurality of sub-elements associated with the identified one of said sub-elements.

These claimed features provide a unique, two-paned user interface in which a left menu region includes a plurality of selectable elements, and a right menu region includes a plurality of sub-elements corresponding to a selected one of the plurality of selectable elements. The user interface allows a user to select one of the sub-elements in the right menu region, which results in the right menu region being dragged left to cover the area previously occupied by the left menu region. A new right menu region is then displayed adjacent to the area previously occupied by the left menu region that includes a second plurality of sub-elements corresponding to the selected sub-element. The process of selecting a sub-element, dragging the right menu region over the left menu region, and providing a new right menu region may continue for any number of iterations as needed. The dragging of menu regions provides a strong visual metaphor of a menu hierarchy, making the user interface easier to navigate.

Contrary to the Examiner's argument with regard to original claims 4, 6, and 7, Vallone does not disclose "the selection of a sub-element from a first sub-element list, the movement of the first sub-element list to the left, and the addition of a second sub-element list on the right upon such a selection." Office Action at page 4.

Vallone does state that:

The user can then move the highlight bar to the right hand column 3104 by pressing the right side of the button 1403 on the remote control 1401 allowing him to scroll through the channels 3104. The program information for the highlighted channel is displayed in the upper screen area of the program guide area as described above. The user can once again move the highlight bar to the right to obtain the two column channel/program format described above. This two column format may differ (when a sort method other than all channels is selected) in that the channels displayed in the left hand column are those that correspond to the sorting method.

Col. 24, lines 23-32.

This description referred to by the Examiner is defective in at least two respects. First, there is no teaching or suggestion that Vallone's right-hand column is dragged left to cover an area previously occupied by the left menu region, as required by amended claim 1. Thus, Vallone does not provide the same visual metaphor. At best, Vallone merely teaches what the applicants found inadequate in the prior art, *i.e.*, elements that "simply disappear from the left and reappear on the right, followed by an abrupt rearrangement of the menu regions." Page 20, lines 8-10.

Second, there is no teaching or suggestion of displaying a new right menu region including a second plurality of sub-elements associated with the identified one of the sub-elements. While the user can move the highlighted bar past the right column in Vallone, there is no teaching or suggestion that this results in an identification of one of the sub-elements that then determines what is displayed in the new right column. At best, Vallone discloses that selecting one of the sorting methods in the original left column will determine what sorted channels are displayed in the new left column. Vallone says nothing about what new sub-elements are displayed in the new right column, which is required in amended claim 1.

The addition of Ward does not cure the deficiencies of Vallone. Ward merely discloses the use of a video region for concurrent menu selection and broadcasting. Ward does not, however, disclose that a right menu region is to be dragged left to cover an area previously occupied by a left menu region, and that a new right menu region is to be displayed adjacent to said left menu region, the new right menu region including a second plurality of sub-elements associated with the identified one of said sub-elements.

Accordingly, the applicants respectfully submit that 1, as amended, is patentably distinct over the cited references, alone or in combination. Claims 2-16 depend directly or indirectly from claim 1 and are likewise believed to be patentably distinct for at least the same reasons. Claim 17 has been amended to include similar limitations and is also believed to be patentably distinct along with dependent claims 18-30.

Claim 4, as amended, recites that the right menu region is to be dragged left in a fluid motion to cover the area previously-occupied by the left menu region. Neither of the cited references, alone or in combination, discloses dragging one menu region over another in a fluid motion.

Amended claim 5 recites that the selection element is to attach to the identified sub-element while the right menu region is dragged left to overlap the area previously-occupied by the left menu region, such that the identified sub-element remains selected. Neither of the cited references discloses attaching the selection element to the identified sub-element during while, for example, the right menu region is dragged over the left menu region. Moreover, neither of the cited references

discloses that the identified sub-element remains selected after the dragging operation.

New claims 36-38 recite method limitations similar to the user interface limitations of claims 1 and 17. Accordingly, claims 36-38 are believed to be patentably distinct for at least the same reasons.

In view of the foregoing, the applicants respectfully submit that claims 1-30 and 36-38, as amended, are patentably distinct over the cited references, alone or in combination. A Notice of Allowance is respectfully requested.

Respectfully submitted,

Digeo, Inc.

By


Kory D. Christensen
Registration No. 43,548

STOEL RIVES LLP
One Utah Center Suite 1100
201 S Main Street
Salt Lake City, UT 84111-4904
Telephone: (801) 328-3131
Facsimile: (801) 578-6999